

**THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: LISA GREEN-HARVEY, : **CHAPTER 13**
:
DEBTOR. : **CASE No: 22-10756-AMC**

OBJECTION TO PROOF OF CLAIM NO. 2

Debtor Lisa Green-Harvey files the forgoing Objection to Proof of Claim no. 2 through her attorney, Michelle Lee of Dilworth Paxson LLP, and avers as follows:

1. Resurgent Capital Services as assignee of Ashley Funding Services. (“Lender”) filed Proof of Claim No. 2 for \$986.00. A copy of Proof of Claim No. 2 is attached as Exhibit “A”.
2. The bill is related to labwork performed on or about 1/29/16 pursuant to the proof of claim. Creditor did not list a last payment, because payments were never made. Creditor charged off the bill on 7/25/18. Debtor filed her case on 3/28/22.
3. More than four years have passed since the date of service.
4. Respondent’s documents speak for themselves.
5. Accordingly, the claim must be barred by the statute of limitations under 42 Pa. C.S.A. §5525.

WHEREFORE, Debtor respectfully requests that this Honorable Court disallow Proof of Claim No. 2 in its entirety.

12/13/22

Respectfully Submitted,

/s/ Michelle Lee
Michelle Lee, Esquire
Dilworth Paxson LLP
1500 Market Street
Suite 3500E
Philadelphia, PA 19102

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CERTIFICATE OF SERVICE

Michelle Lee, being duly sworn according to law, deposes and says that I served the Debtor's Objection to Proof of Claim no. 2 and notice thereof upon the following individuals listed below, by electronic means, email and/or first-class mail on 12/13/22:

KENNETH E. WEST,
Chapter 13 Standing Trustee
ELECTRONIC

Resurgent Capital Services
Javyn Butler, Claims Processor
PO Box 10587
Greenville, SC 290603-0587

Lisa Green-Harvey
1219 68th Avenue
Philadelphia, PA 19126

And notice to be filed electronically with the Court, where it is available for viewing and downloading from the Court's ECF system, and that such electronic filing automatically generates a Notice of Electronic filing constituting service of the filed document upon all of the parties required by Federal Rule of Bankruptcy Procedure 3020(b)(1) and all parties that have requested service of papers in their case.

Respectfully Submitted,

/s/ Michelle Lee
Michelle Lee, Esquire
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ORDER

AND NOW, this _____ day of _____ 2023, upon consideration of the Debtor's Objection to Proof of Claim No. 2, and after notice and hearing, that the Objection to Proof of Claim shall be sustained and the claim is hereby disallowed in its entirety.

Honorable Judge Ashely M. Chan